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Attorney Docket No. 1796-0157

Application Serial No.
09/811,417REMARKS

Claims 2 through 16 are pending in this application. New claim 16 is added herein. Claims 9, 10 and 12 through 15 are amended herein. Support for new claim 16 may be found in the claims as originally filed, and in Figs. 3 through 5. New claim 16 is thus submitted to read on elected Species II.

Claim Rejections - 35 U.S.C. § 103:

Claims 8, 11, 13, and 14 have been rejected under 35 U.S.C. § 103 as being unpatentable over Nakamura et al. US 6,280,304 in view of the Takahashi et al. US 4,483,216. The rejection is traversed. Reconsideration is earnestly solicited.

Claims 8, 13, and 14, as well as non-elected claims 2 through 7 and 12, have been re-written to depend from new claim 16. According to claim 16, vibration caused by the rotating movement is scarcely transmitted to the table, and quiet rotation can be achieved and precise polishing can be done, since the internally contacting cylinder is formed in co-axially arranged double hollow rings.

Further, according to claim 16, since the table is provided with hollow space beneath the central portion of the table, a joint for controlling the temperature of the polishing table, the table for CMP or the polisher can be disposed in the hollow space.

Contrary to this, in Nakamura, a shaft 54a is disposed beneath the central portion of the table so as to distribute the power from the reduction gear 69 into a

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plurality of (four) passages. Nakamura does not show nor indicate at all a hollow space beneath the central portion of the table.

Further, Takahashi does not show or indicate forming an internally contacting cylinder in co-axially arranged double hollow rings. Thus, claim 16 is submitted to be not obvious over Nakamura and Takahashi and hence patentable.

Amended claim 11 recites, in pertinent part:

"a traction drive type reduction gear driving said table."

Nakamura neither teaches, discloses, nor suggests a traction drive type reduction gear, as acknowledged graciously in the Office Action. Nakamura, rather, relies on a conventional reduction gear system 69 to transmit power from motor 70 to upper plate 20, lower plate 30, etc., as described at column 2, lines 24 through 28. The Office Action proposes to replace the reduction gear system 69 of Nakamura with the friction drive transmission of Takahashi, saying,

"It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Nakamura to include the traction drive type reduction gear as taught by Takahashi for the purpose of reducing speed."

Nakamura, however, already has reduction gear system 69 for the purpose of reducing speed. Nakamura is complete in itself. There is no reason or indication in any of the cited references to suspect that reduction gear system

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69 is inadequate in any way for the purpose of reducing speed. Furthermore, there is no reason or indication in any of the cited references that a person of ordinary skill in the art would have considered replacing the reduction gear system 69 of Nakamura with any other type of drive at the time of the invention.

Simple knowledge or awareness of one or another of the *individual* elements of a combination on the part of persons of ordinary skill in the art at the time the invention was made, however, is not determinative of whether it would have been obvious to *combine* those elements. The test for obviousness under 35 U.S.C. § 103 (a), rather, as set forth by the United States Supreme Court in Graham v. John Deere Co., 383 U.S. 1, 17-18 (1966), requires the scope and content of the prior art to be determined, the differences between the prior art and the claims at issue to be ascertained, and the level of ordinary skill in the pertinent art resolved.

Furthermore, obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination. ACS Hosp. Sys., Inc. v. Montefiore Hosp., 732 F.2d 1572, 1577 (Fed. Cir. 1984). A suggestion, teaching or motivation to combine the prior art references is an "essential evidentiary component of an obviousness holding." C.R. Bard, Inc. v. MP3 Systems, Inc., 157 F.3d 1340, 1352 (Fed. Cir. 1998). "When a rejection depends on a combination of prior art references, there must be some teaching, suggestion, or motivation to

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combine the references." In re Rouffet, 47 USPQ2d 1453, 1456 (Fed. Cir. 1998).

Finally, the suggestion must be clear and particular; broad conclusory statements about the teaching of multiple references, standing alone, are not "evidence." Brown & Williamson Tobacco Corp. v. Philip Morris Inc., 229 F.3d 1120 (Fed. Cir. 2000).

Here, the Office Action points to no evidence, either in the references or the general knowledge of the prior art, of a suggestion or motivation to modify Nakamura to include the traction drive type reduction gear of Takahashi, as recited in claim 11. The broad conclusory statement in the Office Action to the effect that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Nakamura to include the traction drive type reduction gear as taught by Takahashi for the purpose of reducing speed," is not "evidence" of a suggestion or motivation to modify Nakamura as required for a finding of obviousness.

It is thus submitted that no person of ordinary skill in the art would have seen fit to modify Nakamura in the manner proposed in the Office Action at the time the invention was made. Claim 11 is thus submitted to be allowable. Withdrawal of the rejection of claim 11 is earnestly solicited.

New claim 16 also recites a traction drive type reduction gear driving a table, and is thus also submitted to be allowable for the same reasons as claim

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11. Claims 2 through 8 and 12 through 14 depend from claim 16 and add additional distinguishing elements. Claims 2 through 8 and 12 through 14 are thus also submitted to be allowable. Withdrawal of the rejection of claims 8, 13, and 14 is earnestly solicited.

Allowable Subject Matter:

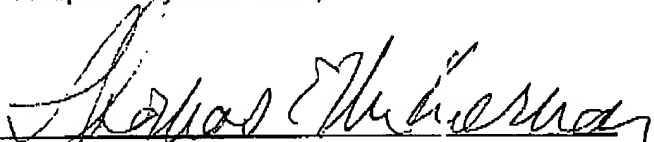
The Applicant acknowledges with appreciation the indication that claims 9, 10, and 15 would be allowable if they were placed in independent form. Claims 9 and 15 have consequently been re-written in independent form, and claim 10 depends from claim 9 and adds further distinguishing elements.

Conclusion:

Allowance of all claims 2 through 16 and of this entire application is respectfully requested.

Respectfully submitted,

By



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